

January 17, 2003

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Frank Csulak  
NOAA Injury Assessment Coordinator  
United States Department of Commerce  
National Oceanic and Atmospheric Administration  
Office of Response and Restoration  
Silver Spring, MD 20910

RE: M/V EVER REACH – Oil Spill at Charleston, 30 September, 2002  
Trustees' Invitation to Evergreen International, S.A. to Participate in Natural  
Resource Damage Assessment Process  
BMSM File No. 5932.0037

Dear Mr. Csulak:

We are in receipt of your December 11, 2002 letter to Evergreen International, S.A. ("Evergreen") on behalf of the designated Natural Resource Trustees ("the Trustees") in connection with the oil spill of 30 September, 2002, for which Evergreen has been officially designated as the responsible party. Please accept this correspondence as confirmation of Evergreen's interest in participating in the cooperative assessment of any natural resource injuries actually or potentially attributable to this oil spill.

In connection with Evergreen's acceptance of the Trustees' invitation to participate in the natural resource damage assessment ("NRDA") process, we would suggest that the Trustees and Evergreen prepare a Memorandum of Understanding in order to clearly define the nature and extent of Evergreen's participation, since Evergreen is interested in participating in the NRDA Restoration Planning Phase, as well as the Preassessment Phase.

On behalf of Evergreen, we look forward to participating in a cooperative assessment and welcome your comments with regard to the development of a Memorandum of Understanding.

Frank Csulak  
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Very truly yours,

BUIST MOORE SMYTHE MCGEE P.A.



Sean D. Houseal

SDH/dmb

cc: Stephanie, Fluke, Esq., NOAA  
Diane Duncan, U.S. Fish & Wildlife Service  
Holly Deal, Esq., DOI Office of the Solicitor  
Ed Duncan, S.C. Department of Natural Resources  
James Quinn, Esq., S.C. Department of Natural Resources  
Sally Knowles, S.C. Department of Health and Environmental Control  
Hank Stallworth, Office of the Governor of South Carolina  
Dominic Broadus, U.S. Navy  
CDR Susan C. Stewart, JAGC, U.S. Navy  
Evergreen America Corp., c/o Albert Shiu